# ZB# 05-65

# Harry Toromanides

18-3-19

05-65 HARRY TOROMANIDES (AREA) 18-3

ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR 555 UNION AVENUE NEW WINDSOR, N.Y. 12553 Granted 11-14-05

## NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 18-3-19

In the Matter of the Application of

MEMORANDUM OF DECISION GRANTING

HARRY TOROMANIDES

**AREA** 

**CASE #05-65** 

WHEREAS, Harry Toromanides, owner(s) of 10 Hickory Avenue, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 12 ft. 6 inch variance for proposed second floor addition that will project closer to the road than original house in an R-4 Zone (18-3-19)

WHEREAS, a public hearing was held on November 14, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

- 1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in <u>The Official Town Newspaper</u>, also as required by law.
- 2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties in an R-4 zone.
  - (b) The applicant proposes to place a second floor addition on the existing home, which will cause it to be two feet closer to the road.
  - (c) After construction, if permitted, the road structure will be no closer to the road than the other homes on the same side of the public roadway as this house. After

construction, if permitted, the house will be similar in size and appearance to other houses in the neighborhood.

- (d) In constructing the additioin, the applicant will not remove any trees or substantial vegetation.
- (e) In building the addition, the applicant will not build on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements
- (f) In building the addition, the applicant will not create the ponding or collection of water or divert the flow of water drainage.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

- 1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
- 2. There is no other feasible method available to the Applicant that can produce the benefits sought.
- 3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
- 4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
- 5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
- 6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
- 7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
- 8. The interests of justice will be served by allowing the granting of the requested area variance(s).

#### NOW, THEREFORE, BE IT

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 12 ft. 6 inch variance for proposed second floor addition that will project closer to the road than original house at 10 Hickory Avenue in an R-4 Zone (18-3-19) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

#### **BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: November 14, 2006

Chairman

# **TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS OFFICE** 845-563-4615

# **MEMORANDUM**

TO:

LARRY REIS, COMPTROLLER

FROM:

MYRA MASON, SECRETARY TO THE ZONING BOARD

DATE:

**JANUARY 11, 2006** 

SUBJECT: ESCROW REFUND

PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 154.28 TO CLOSE OUT **ESCROW FOR:** 

**ZBA FILE** #05-65

NAME & ADDRESS:

**Harry Toromanides** 322 Burroughs Lane New Windsor, NY 12553

THANK YOU,

**MYRA** 



## TOWN OF NEW WINDSOR **ZONING BOARD OF APPEALS RECORD OF CHARGES & PAYMENTS**



FILE #05-65

TYPE:AREA TELEPHONE: 926-7777

APPL	ICANT:	
	Toroman	ides
322 Bi	urroughs	Lane

New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>141</u>
COMMERCIAL	\$ 150.00	CHECK #
INTERPRETATION	\$ 150.00	CHECK #

FSCROW.

RESIDENTIAL \$300.00 CHECK # 140

e e e e e e				<del></del>	
DISBURSEMENTS:			MINUTES \$5.50 / PAGE	ATTORNEY FEE	
PRELIMINARY:	<u>3</u>	PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>	
2 <sup>ND</sup> PRELIMINARY:		<b>PAGES</b>	\$	\$	
PUBLIC HEARING:	<u>2</u>	<b>PAGES</b>	\$ <u>11.00</u>	\$ <u>35.00</u>	
PUBLIC HEARING:	-	<b>PAGES</b>	\$	\$	

\$48.22 LEGAL AD: Publish Date: 10-29-05

> TOTAL: \$<u>75.72</u> **\$\_70.00**

\$ 300.00 ESCROW POSTED: LESS: DISBURSEMENTS: \$ 145.72

AMOUNT DUE:

REFUND DUE: \$154.28

Cc:

L.R. 01-12-2006

#### HARRY\_TOROMANIDES\_(05-65)

Mr. Harry Toromanides appeared before the board for this proposal.

MR. KANE: Request for 12 ft. 6 in. variance for proposed second floor addition that will project closer to the road than original house at 10 Hickory Avenue. Tell us what you want to do again.

MR. TOROMANIDES: Proposing a second floor addition with two feet closer to the road on the front of the house.

MR. KANE: And when if you were granted the proposed addition will the home extend closer to the road than any of the homes that are on your side of the street?

MR. TOROMANIDES: No.

MR. KANE: With the additional it keeps the home similar in size and nature to other homes that are in your neighborhood?

MR. TOROMANIDES: Yes.

MR. KANE: Creating any water hazards or runoffs?

MR. TOROMANIDES: No, sir.

MR. KANE: Cutting down trees or substantial vegetation?

MR. TOROMANIDES: No.

MR. KANE: Any easements running through the area?

MR. TOROMANIDES: No.

MR. KANE: At this point, I will open the public

portion and seeing as there's nobody here we'll close it and ask Myra how many mailings we had.

MS. MASON: On the 27th of October, I mailed out 80 envelopes and no responses.

MR. KANE: I have no further questions. Anybody else have any further questions? I'll accept a motion.

MS. LOCEY: I will over a motion to grant on the application of Harry Toromanides grant his request for 12 foot six inch front yard variance for proposed second floor addition that will project closer to the road than the original house at  $10~{\rm Hickory~Avenue}$  in an  $R-4~{\rm zone}$ .

MR. BROWN: Second the motion.

ROLL CALL

MS. LOCEY AYE
MR. BROWN AYE
MR. REIS AYE
MR. KANE AYE

# OFFICE OF THE BUILDING INSPECTOR TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK

#### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**DATE: August 23, 205** 

APPLICANT: Harry Toromanides

10 Hickory Avenue

New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 8/18/05

FOR: Proposed second floor addition.

LOCATED AT: 10 Hickory Avenue

ZONE: R-4 Sec/Blk/ Lot: 18-3-19

DESCRIPTION OF EXISTING SITE: One family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed second floor addition will project closer to the road than the original house and will not meet minimum front yard set-back of 45 ft.

BUILDING PERFECTOR

PERMITTED PROPOSED OR VARIANCE AVAILABLE: REQUEST:

ZONE: R-4 USE:

Bulk Tables E-6

MIN LOT AREA:

MIN LOT WIDTH:

**REQ'D FRONT YD:** 

45

32'-6"

12'-6"

REQ'D SIDE YD:

**REQ'D TOTAL SIDE TD:** 

**REQ'D REAR YD:** 

**REQ'D FRONTAGE:** 

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

**DEV COVERAGE:** 

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

# PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS MIPORTANT YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificals of Occupancy may be withheld. Do not mistake an unacheduled inspection for one of those fieled below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

AUG 1 8 2005

FOR OFFICE USE ONLY

Building Permit #: 14 2005

1.	When excevaling is o	entioni bee atologo	forms are in place	(before pouring.)

- 2. Foundation inspection. Check here for waterproofing and fooling drains.
- 3. Inspect gravel base under concrete floors and underslab plumbing.
- 4. When framing, rough plumbing, rough electric and before being covered.
- 5. Insulation.
- 6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification latter for section system required.
- 7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway band may be required.
- 8. \$50.00 charge for any site that calls for the inspection twice.
- 9. Call 24 hours in advance, with permit number, to schedule inspection.
- 10. There will be no inspections unless yellow permit card is posted.
- 11. Sewer permits must be obtained along with building permits for new houses.
- 12. Septic permit must be submitted with engineer's drawing and pero test.
- 13. Road opening permits must be obtained from Town Clerk's office,
- 14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

# AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION	
Owner of Premises Harry To comanides and Jah	n Turomarahic
Address 10 Hickory Ave Newbirdson NY 1255	3 Phone # 845-561-4521
Mailing Address 322 Buroughs Care NewWinds	
Name of Architect . Joe Lina of Migris	Associals
Address 9 Elles Lane, Poughlarpsiz NY. 12601 Phone	454-3411
J	

ldress		Phone		
the whether applicant is owner, lesses, applicant is a comporation, signature of	,	(Name and title of on	·	
On what street is property located? Or	(M, B,E or W)	•	rchenz f	tui
Zone or use district in which premises a	re situated		la property a flood	zone? YN
Tax Map Description: Section	18 Block	3	LOC 19	•
State existing use and occupancy of p  a. Existing use and occupancy  Nature of work (check if applicable)	Residentation.	b. Intended use and	accupancy le	
is this a corner to!?			·	• ************************************
Dimensions of entire new construction	n. Front Rear_	Depth	Height	_ No. of stories
If dwelling, number of dwelling units:		_ Number of dwelling	units on each floor	
Number of bedrooms 3 Electricified Air	Bathe 2 Tollete Hot Water	Heating If Gerage, numb	Plant Ges Xer of cers	OI
If business, commercial or mixed occ	supency, specify nature and ex	lent of each type of us		AHD
0, Estimated cost	Fee			#50

dete	

# APPLICATION FOR BUILDING PERMIT FOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK Pursuant to New York State Building Code and Town Ordinances

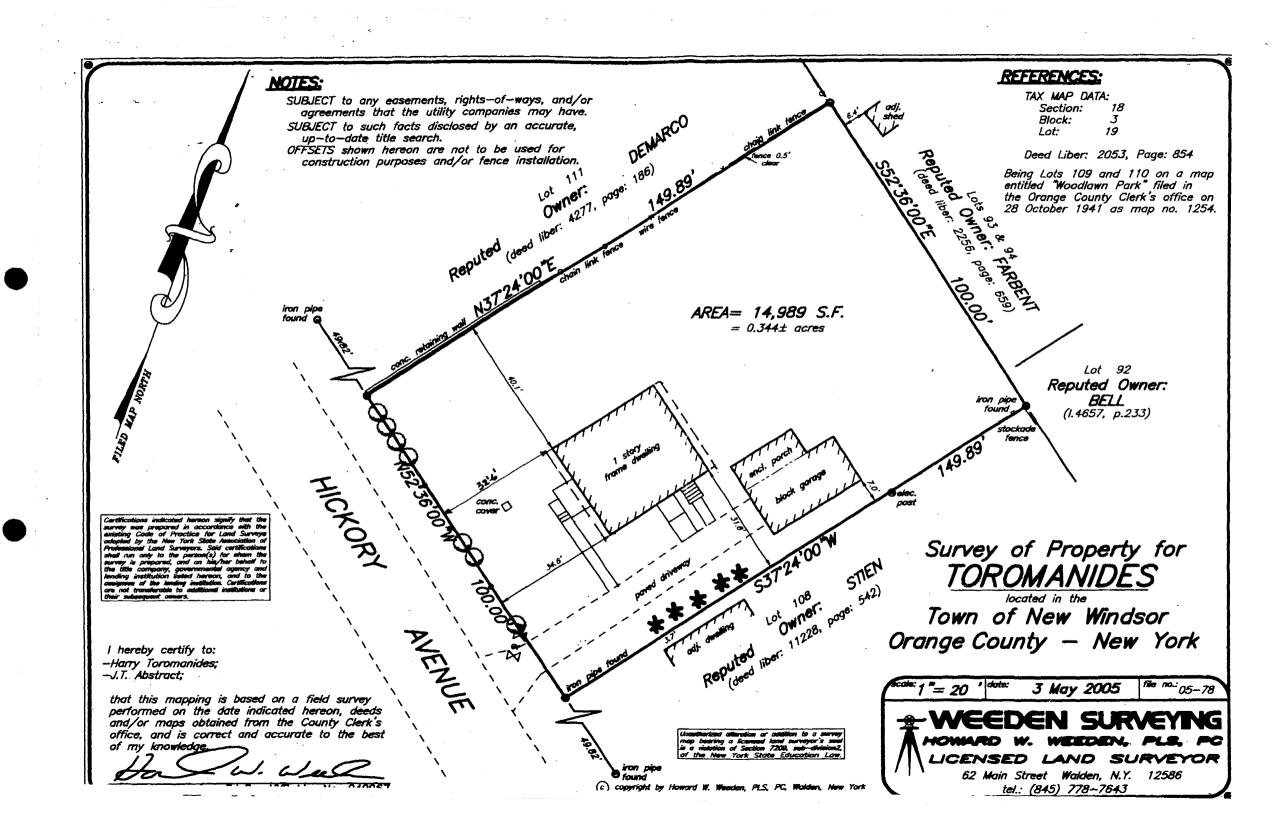
Building inspector: Michael L. Babcock  Asst. Inspectors Frank Liel & Louis Krychear New Windsor Town Hall  555 Union Avenue New Windsor, New York 12553  (845) 563-4618 (845) 563-4695 FAX	Bidg insp Examined  Fire insp Examined  Approved  Disapproved  Permit No
METRICTIONS	

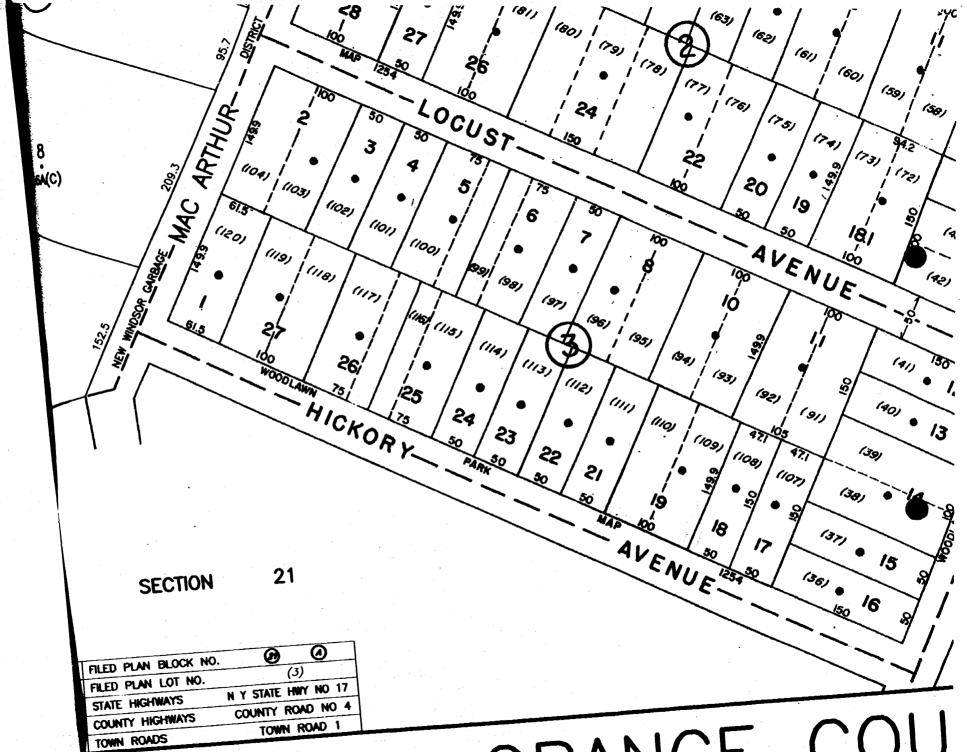
- A. This application must be completely fitted in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the lesurance of a Building Permit.
- E. Upon approval of this application, the Building inepector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the Issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demoition or use of properly as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that the owner or agent of all that certain lot, pleas or percel of land and/or building described in this application and if not the owner, that he has been duty and properly authorized to make life application.

1 Hantella	· · · · · · · · · · · · · · · · · · ·
(Signature of Applicant)	(Address of Applicant)
(Owner's Signal µre)	and the second s

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





ORANGE



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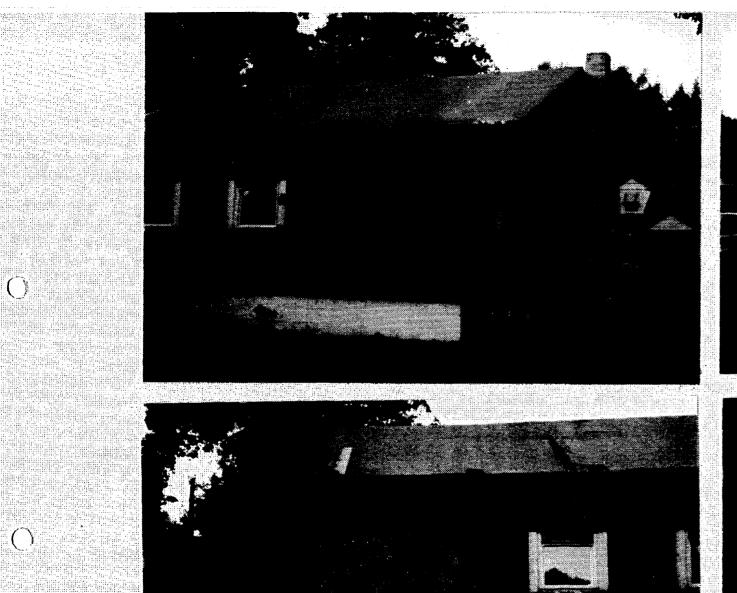




















RESULTS OF Z.B. MEETING OF:	November 14, 2005
PROJECT: Harry Goromanides	ZBA # <u>05-65</u> P.B.#
USE VARIANCE: NEED: EAF	PROXY
LEAD AGENCY: M)S)VOTE: AN	NEGATIVE DEC: M)S)VOTE: AN
GANN LOCEY BROWN MCDONALD CARRIED: YN REIS KANE	GANN LOCEY BROWN MCDONALD CARRIED: YN REIS KANE
PUBLIC HEARING: M) S) VOTE: A N GANN COCEY BROWN CODONALD CARRIED: Y N CEIS CANE	AFTROVED: M)S)VOTE: AN GANN LOCEY BROWN MCDONALDCARRIED: YN REIS KANE
ALL VARIANCES - PRELIMINARY APPE SCHEDULE PUBLIC HEARING: M)_ GANN	ARANCE:S)
BROWN MCDONALD LEIS LANE CAR	WRIED: YN
	MAILING READ INTO MINUTES $\checkmark$ $B$ VOTE: $A \not\vdash N \not O$ .
CANDAL CA	RRIED: Y
No Public Comment	

# **AFFIDAVIT OF MAILING**

ZONING BOARD OF APPEALS: TOWN OF NEW COUNTY OF ORANGE: STATE OF NEW YORK	
In the Matter of the Application for Variance of	
HARRY TOROMANIDES	
	AFFIDAVIT OF SERVICE
#05-65	BY MAIL
	- X
STATE OF NEW YORK )  SS:	
COUNTY OF ORANGE )	
MYRA L. MASON, being duly sworn, deposes	and says:
That I am not a party to the action, am over 18 y Bethlehem Road, New Windsor, NY 12553.	ears of age and reside at 67
That on the 27 <sup>TH</sup> day of <b>OCTOBER</b> , 20 <b>05</b> , I envelopes containing the Public Hearing Notice pertine certified list provided by the Assessor's Office regarding a variance and I find that the addresses are identical to placed the envelopes in a U.S. Depository within the Te	ent to this case with the ag the above application for the list received. I then
The state of the s	ra L. Mason, Secretary
28 day of Other, 2005	,
Notary Public No. 0	NIFER MEAD c, State Of New York 1ME6050024 In Ovenge County

# PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-65

Request of HARRY TOROMANIDES

for a VARIANCE of the Zoning Local Law to Permit:

Request for 12 ft. 6 inch variance for proposed second floor addition that will project closer to the road than original house at 10 Hickory Avenue in an R-4 Zone (18-3-19)

PUBLIC HEARING will take place on NOVEMBER 14<sup>TH</sup>, 2005 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

Michael Kane, Chairman

#### Town of New Windsor ZONING BOARD OF APPEALS PUBLIC HEARING NOTICE

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MICHAEL KANE CHAIRMAN

Ad Number: 1811463 Advertiser: NEW WINDSOR, TOWN

Phone: 8455634615 Sys No: 1194114 Caller: MYRA

INVOICING CUSTOMER:

Phone: 8455634615

Sys No: 1194114

AcctNo: P.O. No:

Name:

NEW WINDSOR, TOWN Subscriber:

Address:

**ZONING AND PLANNING** 

555 UNION AYENUE

**NEW WINDSOR NY 12553** 

ORDER:

Printed By: THRFODDRIL Date: 10/27/2005 Assigned Soles: AdType: LINER Order Type: MORMAL

Manual Delay: Box No: Call Back: Y

NOTES:

Change Reason:

**INSERTION:** 

Product: THI

Paper: TH Class: 999X; LEGAL BILLING

Schedule:

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End Date - 10/29/2005

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WILLIAMSON LAW E	BOOK CO., VICTOR, NY	14564			DATE	AUDITING	BOARD

40 Mulberry Street, Middletown, NY 10940

State of New York: County of Orange: ss:

#### Patricia Foddrill

Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottaway Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

Legal Advertising Rep.

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

### **Public Notice**

a true printed copy of which is hereunto annexed, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of

	<b>/</b>	
10/29/	05	
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Signature of Representative:		
Javucia	) Ch	_
Sworn in before me this		
Day of	<i>(</i> ). :	2005
(000000000000000000000000000000000000		
Shitorivie	AVSUS	
Nota	ry Public, Orange C	ounty

GRETCHEN PINA BREEDY
NOTARY PUBLIC FOR THE STATE
OF NEW YORK, ORANGE COUNTY
OF NEW YORK, ORANGE COUNTY
OF NEW YORK, ORANGE S ON FILE
THE STORY OF THE STATE OF TH



# Town of New Windsor

555 Union Avenue New Windsor, New York 12553 Telephone: (845) 563-4631 Fax: (845) 563-3101

# **Assessors Office**

October 27, 2005

Harry Toromanides 322 Burroughs Lane New Windsor, NY 12553

Re: 18-3-19

ZBA#: 05-65 (80)

Dear Mr. Toromanides:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO

Sole Assessor

JTW/tmp Attachments

CC: Myra Mason, Zoning Board

18-2-4 18-2-3 James & Susan Stankiewicz Joseph & Ann Chernek Vincent & Priscilla Pallazzo c/o U.S. Dept of HUD, HFFPA 21 Walnut Street ATT: Sec-held notes / Room 6240 23 Walnut Street P.O. Box 44813 New Windsor, NY 12553 New Windsor, NY 12553 Washington, DC 44813 18-2-6 18-2-7 18-2-8 Jose & Felicita Figueroa Kenneth & Vivian Milczarski Leonard & Virginia Golino 17 Walnut Avenue 13 Walnut Avenue 15 Walnut Street New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 18-2-9 18-2-10 18-2-11 John D'Angelo, II Shawn & Allison McGrath John & Irene Clark 11 Walnut Street 9 Walnut Street 5 Walnut Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 18-2-12 18-2-13 18-2-14 Joseph & Susan Dabroski Eric Czarnecki Thomas Jannotti 104 Cedar Avenue 102 Cedar Avenue 106 Cedar Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 18-2-15 18-2-18.1 18-2-19 Charles & Melissa Broe Sarah Lucas Robert & Richard Rodgers 8 Locust Avenue 108 Cedar Avenue 6 Locust Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 18-2-20 18-2-22 18-2-24 **Donald Fanning** Ronald & Cheryl Herbert David & Denise Wolfe Catherine & James Fanning 12 Locust Avenue 16 Locust Avenue 10 Locust Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 18-3-1 & 27 18-2-26 18-2-27 & 18-2-28 John DeVaney, Jr. Gordon & Barbara Ray Christopher & Frances Welsh Maria DeCapite 18 Locust Avenue 22 Locust Avenue 24 Hickory Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 18-3-2 18-3-3 18-3-4 William Daley Betty Jean Earley Nicholas & Helen Ruscitti 23 Locust Avenue 19 Locust Avenue 21 Locust Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 18-3-7 18-3-5 18-3-6 William Farrenkopf John & Marilyn Mellon Thomas & Mary Ann Cimorelli 15 Locust Avenue 13 Locust Avenue 17 Locust Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 18-3-11 18-3-10 18-3-8 Margaret Del Pup Matthew & Amy Beekley Floyd & Margaret Farbent c/o Jean Bell & John Del Pup 11 Locust Avenue 9 Locust Avenue 14 Pommel Drive

New Windsor, NY 12553

New Windsor, NY 12553

New Windsor, NY 12553

18-3-12 18-3-13 18-3-14 **Anthony Gillmeier** Buddy Joe & Wilma Edwards Dana Tripodo P.O. Box 565 114 Cedar Avenue 116 Cedar Avenue Cornwall, NY 12518 New Windsor, NY 12553 New Windsor, NY 12553 18-3-15 & 16 18-3-17 18-3-18 Ruth Cherry Anna & Sally Ann Thompson Jonathan & Eileen Stein 118 Cedar Avenue 6 Hickory Avenue 8 Hickory Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 18-3-21 18-3-22 18-3-23 Anthony Demarco, Ann Marie **Edward Dematteis** Joseph & Donna Hall Demarco & Mary Lou Dooley 14 Hickory Avenue 16 Hickory Avenue 12 Hickory Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 18-3-25 18-3-24 18-3-26 Julia Dayton Martha Mylonas Terrance Berean c/o Julia Araiza 18 Hickory Avenue 22 Hickory Avenue 20 Hickory Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 19-4-77 19-4-86 19-4-87 James & Mary Silvagni St. Francis Church Lewis & Katherine Seymour 129 Cedar Avenue 131 Cedar Avenue 145 Benkard Avenue New Windsor, NY 12553 New Windsor, NY 12553 Newburgh, NY 12550 19-4-88 19-4-89 19-4-90 Nephtali & Magdeline Hernandez Henry & Rosemary Ellingsen Mary Silvangni 129 Cedar Avenue 125 Cedar Avenue 123 Cedar Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 19-4-95 & 96 19-4-92 19-4-94 Cosimo Randazzo Donalda & Charles New Glen Marshall 239 Hillsdale Drive 119 Cedar Avenue 121 Cedar Avenue New Windsor, NY 12553 New Windsor, NY 12553 Clayton, NC 27527 19-4-98 19-4-99 19-4-97 Donald Starkey Karen O'Dell Daniel & Nancy Spreer Linda Lawrance Kristian Orr 115 Cedar Avenue 111 Cedar Avenue 113 Cedar Avenue New Windsor, NY 12553 New Windsor, NY 12553 New Windsor, NY 12553 19-4-101 21-3-1 19-4-100 Joseph & Josephine Beltempo Scott & Tracy McCormick Giovanni Forte 103 Cedar Avenue 74 Judson Road 31 Willow Parkway New Windsor, NY 12553 Montgomery, NY 12549 New Windsor, NY 12553

21-3-3

Susan Ann Carter

17 Hickory Avenue

New Windsor, NY 12553

21-3-2

John Holmes

19 Hickory Avenue

New Windsor, NY 12553

21-3-5

Helen Tucker

13 Hickory Avenue

New Windsor, NY 12553

21-3-6 & 7 Hamin & Melody Rashada 11 Hickory Avenue New Windsor, NY 12553

21-3-10 Donald & Chin Quicksell 122 Cedar Avenue New Windsor, NY 12553

21-3-13 Junghee Lee Min Hwang 78 Vails Gate Heights Drive New Windsor, NY 12553

21-3-16.1 Glenn & Kathy Anderson 16 Woodlawn Avenue New Windsor, NY 12553

21-3-17.2 Jo-Ann Romanik 18 Woodlawn Avenue New Windsor, NY 12553

21-4-3 Frances & John Fasano, Jr. 11 Woodlawn Avenue New Windsor, NY 12553

21-4-6 Kevin & Valerie Morrison 5 Woodlawn Avenue New Windsor, NY 12553 21-3-8
Kim & Kevin McDonnell, Sr.
9 Hickory Avenue
New Windsor, NY 12553

21-3-11 Richard & Jeannette Voellmann 124 Cedar Avenue New Windsor, NY 12553

21-3-14 Veronica & Richard Casnocha 8 Woodlawn Avenue New Windsor, NY 12553

21-3-16.2 Bonnie Alfidi 14 Woodlawn Avenue New Windsor, NY 12553

21-4-1 James & Margaret Britney 15 Woodlawn Avenue New Windsor, NY 12553

21-4-4 Stephanie Martinez James Nunez 9 Woodlawn Avenue New Windsor, NY 12553

21-4-7 Carrol Piatt 170 Union Avenue New Windsor, NY 12553 21-3-9 Mary Mussari 5 Hickory Avenue New Windsor, NY 12553

21-3-12.1 Patrick Cusack 124 Cedar Avenue New Windsor, NY 12553

21-3-15 Carol Cotton Helen Leary 12 Woodlawn Avenue New Windsor, NY 12553

21-3-17.1 Wayne Porter 219 MacArthur Avenue New Windsor, NY 12553

21-4-2 Martin Smith Marianne Greene 13 Woodlawn Avenue New Windsor, NY 12553

21-4-5 Sandor & Christine Helfgott 7 Woodlawn Avenue New Windsor, NY 12553



RESULTS OF Z.B.A.	ETING OF:	October 34,	05	
PROJECT: Harry			ZBA # <i>05-65</i> P.B.#	
USE VARIANCE:	NEED: EAF _	PROXY _		
GANN OCEY BROWN ACDONALD CAF UELS CANE  UBLIC HEARING: M) S) GANN OCEY GRANN	VOTE: A N  RRIED: Y N  VOTE: A N	NEGATIVE DEC: M GANN LOCEY BROWN MCDONALD REIS KANE  APPROVED: M) GANN LOCEY BROWN MCDONALD REIS KANE	)S)VOTE: A	
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PUBLIC HEARING: VARIANCE APPROVED  GANN LOCEY BROWN		VOTE: A	INTO MINUTES N	
AC DONALD REIS	CAI	RRIED: YN	<b></b>	
		·		
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# **RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 10-18-05

FOR: **ESCROW 05-65** 

FROM:

Harry Toromanides 322 Burroughs Lane New Windsor, NY 12553

CHECK NUMBER: 140

TELEPHONE: 926-7777

AMOUNT:

<u>300.00</u>

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME

DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING
THANK YOU

# Town of New Windsor 555 Union Avenue New Windsor, NY 12553 (845) 563-4611

# **RECEIPT** #995-2005

10/19/2005

Toromanides, Harry

Received \$ 50.00 for Zoning Board Fees, on 10/19/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green Town Clerk

ZBA # 06-66 application for

CHECKED PAYRA: 10/18/05 OK @

# TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

DATE: <u>10-18-05</u>	PROJECT NUMBER: ZBA# <u>05-65</u> P.B.#
APPLICANT NAME: HAI	RRY TOROMANIDES
PERSON TO NOTIFY TO	PICK UP LIST:
Harry Toromanides 322 Burroughs Lane New Windsor, NY 12553	
TELEPHONE: 926-7	<u>777</u>
TAX MAP NUMBER:	SEC.         18         BLOCK         3         LOT         19           SEC.         BLOCK         LOT         LOT           SEC.         BLOCK         LOT         LOT
PROPERTY LOCATION:	10 HICKORY AVENUE NEW WINDSOR, NY
THIS LIST IS BEING REQ	UESTED BY:
NEW WINDSOR PLANNI	NG BOARD:
SITE PLAN OR SUBDIVIS	SION: (ABUTTING AND ACROSS ANY STREET
SPECIAL PERMIT ONLY:	(ANYONE WITHIN 500 FEET)
AGRICULTURAL DISTRI (ANYONE WITHIN THE A OF SITE PLAN OR SUBD	AG DISTRICT WHICH IS WITHIN 500'
* * * * * * * *	· · · · · · · · · · · · · · · · · · ·
NEW WINDSOR ZONING	BOARD XXX
LIST WILL CONSIST OF	ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX
AMOUNT OF DEPOSIT:	25.00 CHECK NUMBER: <u>142</u>
TOTAL CHARGES:	



# **Town of New Windsor**

#### 555 Union Avenue

New Windsor, New York 12553 Telephone: (845) 563-4615 Fax: (845) 563-4689

#### **ZONING BOARD OF APPEALS**

October 18, 2005

Harry Toromanides 322 Burroughs Lane New Windsor, NY 12553

SUBJECT:

**REQUEST FOR VARIANCE #05-65** 

Dear Mr. Toromanides:

This letter is to inform you that you have been placed on the October 24, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

10 Hickory Avenue New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary Zoning Board of Appeals

MLM:mlm





## **APPLICATION FOR VARIANCE**

Application Type: Use Variance Area Variance
Date Sign Variance □ Interpretation □
Owner Information: Phone Number: (845) 926 - 777
HARRY TOROMANIDEC Fax Number: ()
322 (Name) Burroughs Lane
(Address)
Applicant:  HARY TOROMANADES  Phone Number: (845) 926-7977
Phone Number: (345) 726 - 3937
(Name) Fax Number: () 322 Burroughs Laure
(Address)
Forwarding Address, if any, for return of escrow: Phone Number: ()
Fax Number: ( )
(Name)
(Address)
Contractor/Engineer/Architect/Surveyor/: Phone Number 845 454-3411
Toe Luna c/o Marris Associates  (Name) (Sociates)  (Address)  Fax Number: ()  (Associates)
(Name)//
9 EIKS Lane Pougheepsite
(Address)
Property Information:
Zone: R-Y Property Address in Question: 10 Hickory Ave
Lot Size: 100 X 150 Tax Map Number: Section   8 Block   5 Lot   9
a. What other zones lie within 500 feet?
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner?
d. Has property been subdivided previously? NO If so, When:
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed?
The state of the s
****PLEASE NOTE: *****
THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.

## **APPLICATION FOR VARIANCE - continued**

# VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	Requirements	Proposed or Available	Variance Request
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.	451	32'6"	12164
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

<sup>\*</sup>Residential Districts Only

**PLEASE NOTE:** 

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

<sup>\*\*</sup>Non-Residential Districts Only

### **APPLICATION FOR VARIANCE - continued**

IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

As homeowner of a small home we
will try to maximize the usable square footage of the house
and that is uly we are asky for the variance. Also the
ourhang will help keep the front door to weadry. You can
see from the pictures that both neighbors to the
13th and left are closer to the road thanke are
and will still be so after the proposed variance. This
difficulty is not self-created and unfortunating there is
no other feasible method to achieve our desiral goals.
Our dan is to remodel this home for ourselves.
to live in and bring it to the wonderful stanlands
Set by our neighbors.

**PLEASE NOTE:** 

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

## XII. ADDITIONAL COMMENTS:

	(a)	Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
	,	
XIII.	ATT	ACHMENTS REQUIRED:
		Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
		Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
		Copies of signs with dimensions and location.
		Three checks: (each payable to the TOWN OF NEW WINDSOR)
		One in the amount of \$ 300.00 or 500.00 (escrow) One in the amount of \$ 50.00 or 150.00 (application fee)
		One in the amount of \$\frac{30.00 \text{ if 150.00}}{25.00}\$, (Public Hearing List Deposit)
	_	(
		Photographs of existing premises (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)
STAT	E OF 1	DAVIT. NEW YORK) ) SS.: F ORANGE)
0001	1110.	·
this apparent	olication nt furthe	d applicant, being duly sworn, deposes and states that the information, statements and representations contained in are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The runderstands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the function presented herein are materially changed.
Swor	n to be	fore me this:
28	H day o	Owner's Signature (Notarized)
1	11/1	JENNIFER MEAD  JENNIF
7	Signati	are and Stamp of Notary Applicant's Signature (If not Owner)
PLEA	SE NO	DTE:
THIS	APPL	ICATION, IF NOT FINALIZED, EXPIRES <u>ONE YEAR</u> FROM THE DATE OF
SIIRA	ATTTA	$I_{-}$



# **TOWN OF NEW WINDSOR**

555 UNION AVENUE NEW WINDSOR, NY 12553 (845) 563-4615 (MYRA MASON)



## **ZONING BOARD PROCEDURES**

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION(LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)	
APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00
MULTI-FAMILY: (Three Separate Checks Please)	
APPLICATION FEE:	<b>\$</b> 15 <b>0.00</b>
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00
COMMERCIAL: (Three Separate Checks Please)	
APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00
INTERPRETATION: (Three Separate Checks Please)	
APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT <u>AVAILABLE</u> AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

#### **ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:

APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES 25.00 11-20 NAMES 35.00 21-30 NAMES 45.00 31-40 NAMES 55.00 41-50 NAMES 65.00 **51-60 NAMES** 75.00 61-70 NAMES 85.00 71-80 NAMES 95.00 81-90 NAMES 105.00 91-100 NAMES 115.00

ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME

## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

- 1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. (NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY)

  MEETING. Please do not call the Assessor's Office looking for your list they will contact you when it is ready or if necessary, call Myra at 845—563-4615.
- 2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
- 3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

#### NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

NOTE:

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.

PAGE 2